

**UNITED STATES BANKRUPTCY COURT  
FOR THE  
DISTRICT OF VERMONT**

***Victoria L. Farr***  
***Debtor,***

**Case No. 12-10074**  
**Chapter 13**

**Victoria L. Farr**  
**Plaintiff,**

**Adv. Proceeding Number:** \_\_\_\_\_

&

**Jan M. Sensenich**  
**Plaintiff,**

**vs.**

**CitiMortgage, Inc.**  
**Defendant**

**COMPLAINT FOR DETERMINATION OF VALIDITY  
AND EXTENT OF LIEN**

NOW COMES the Plaintiff, by her attorney, Todd Taylor, and COMPLAINS against Defendant, as follows:

**Predicate Allegations & Jurisdiction**

1. This case was commenced by Debtor filing a voluntary petition under Chapter 13 of the Bankruptcy Code. The Debtor is the Plaintiff herein.
2. This is a core proceeding under 28 U.S.C. §157(b)(2). Jurisdiction of this Court is conferred under 11 U.S.C. §1334.

Corporation System as their Registered Agent.

- . 4. Trustee Jan M. Sensenich joins as Plaintiff in this action as a party in interest.

**Main Allegations**

5. This complaint is filed, pursuant to Bankruptcy Rule of Procedure 7001 and 11 U.S.C. 506, to determine the validity and extent of a lien - specifically a second mortgage, account number is xxxx8966, that was not recorded in the land records in which the lands and premises are located.

. 6. Under the "strong-arm clause" of 11 U.S.C. 544(a) a Trustee - and perhaps a Chapter 13 Debtor alone - has the power as hypothetical lien creditor to avoid unperfected security interests of a debtor in bankruptcy.

7. The second mortgage in question is an unperfected security interest because it was unrecorded.

**Prayer for Relief**

Plaintiff prays that:

1. The Court determine the validity and extent of the lien and that the second mortgage interest as set forth above be declared an invalid security interest and be declared avoided.

DATED: Colchester, Vermont  
August 16, 2012

By: /s/Todd Taylor  
Todd Taylor  
Law Offices of Todd Taylor, P.C.  
PO Box 1123  
Burlington, VT 05402  
(802) 876-7456